

In the Matter of)
)
Termination of Certain Proceedings as Dormant) CG Docket No. 20-158

Released: September 28, 2020

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the comment cycle, by Order released November 1, 2011, CGB terminated as dormant the docketed proceedings listed in the Attachment thereto.⁶ Further dormant proceeding terminations followed.⁷

4. On June 2, 2020, CGB released the *Eighth Dormant Proceedings Termination Public Notice* with comments and reply comments due 30 and 45 days after date of publication in the Federal Register.⁸ On July 6, 2020, the Federal Register published the *Eight Dormant Proceedings Termination Public Notice*.⁹ As a result, comments were due on August 5, 2020 and reply commenters were due on August 20, 2020.¹⁰ In response to the *Eighth Dormant Proceedings Termination Public Notice*, we received six Oppositions and one comment.

III. DISCUSSION

5. Based on our review of the record received in response to the *Eighth Dormant Proceedings Termination Public Notice*, we terminate the proceedings listed in the attachment to this Order¹¹ and leave open three proceedings that had been listed in Attachment A to the *Eighth Dormant Proceedings Termination Public Notice*.¹²

6. After review of the comments and replies received and our further evaluation, we determined that MB Docket No. 14-261, MB Docket No. 15-146, and ET Docket 15-99 will remain open.¹³

7. ***Amendment of Parts 15, 73 and 74 of the Commission's Rules to Provide for the Preservation of One Vacant Channel in the UHF Television Band For Use By White Space Devices and Wireless Microphones (MB Docket No. 15-146).*** Several commenters suggest that issues implicated in this proceeding remain active and unresolved.¹⁴ In their reply comments, the National Association of

⁶ *Termination of Certain Proceedings as Dormant*, Order, 26 FCC Rcd 15312 (CGB 2011) (“*First Dormant Proceedings Termination Order*”).

⁷ See *Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant*, 27 FCC Rcd 1613 (CGB 2012); *Termination of Certain Proceedings as Dormant*, Order, 27 FCC Rcd 11284 (CGB 2012); *Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant*, 29 FCC Rcd 7664 (CGB 2014); *Termination of Certain Proceedings as Dormant*, Order, 29 FCC Rcd 11017 (CGB 2014); *Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant*, 29 FCC Rcd 11168 (CGB 2014); *Termination of Certain Proceedings as Dormant*, Order, 29 FCC Rcd 16059 (CGB 2014); *Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant*, 31 FCC Rcd 1205 (CGB 2016); *Termination of Certain Proceedings as Dormant*, Order, 31 FCC Rcd 7584 (CGB 2016); *Consumer & Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant*, 32 FCC Rcd 369 (CGB 2017); *Termination of Certain Proceedings as Dormant*, Order, 33 FCC Rcd 53 (CGB 2018); *Termination of Certain Proceedings as Dormant*, Order, 34 FCC Rcd 1331 (CGB 2019).

⁸ See *Eighth Dormant Proceedings Termination Public Notice*.

⁹ *Termination of Dormant Proceedings*, 85 FR 40287 (Jul. 6, 2020).

¹⁰ *Id.*

¹¹ Any party aggrieved by a termination under this delegation of authority may file a petition for reconsideration with CGB or an application for review with the full Commission *Procedure Order*, 26 FCC Rcd at 1604, paras. 23-24.

¹² *Eighth Dormant Proceedings Termination Notice*, 35 FCC Rcd 5525, 5529, Attachment.

¹³ In addition, after the *Termination Public Notice* proposal to close *Expanding Consumers' Video Navigation Choices* (MB Docket No. 16-42), the docket was terminated by Commission Order, making the proposal to close the docket moot. See *Expanding Consumers' Video Navigation Choices; Commercial Availability of Navigation Devices*, MB Docket No. 16-42 and CS Docket No. 97-80, Report and Order, FCC 20-124 (Sep. 4, 2020).

¹⁴ Comments of Sennheiser Electronic Corporation, Comments of Shure Incorporated, Comments of Lectrosonics, Inc., Comments of Edgar C. Reihl, P.E.

Broadcasters (NAB) disagrees, and notes the absence of recent filings in the docket.¹⁵ We find that based upon the debate that the *Termination Notice* brought forward, this proceeding does not appear to be a good candidate for termination under delegated authority at this time.

8. ***Multichannel Video Programming Distribution Services (MB Docket No. 14-261)***. The Affiliates Associations objects to the proposed termination of this proceeding, contending that recent *ex parte* filings in the docket indicate ongoing communications with the Commission on the issues raised in the proceeding.¹⁶ Upon further evaluation, we find that this proceeding does not appear to be a good candidate for termination under delegated authority at this time.

9. ***Amendment of Parts 2, 15, 80, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2012)(WRC-12), Other Allocation Issues, and Related Rule Updates (ET Docket No. 15-99)***. Aerospace and Flight Test Radio Coordination Council, Inc. objects to the proposed termination of this proceeding, contending that the proceeding "includes an unresolved spectrum allocation issue."¹⁷ We find that this proceeding does not appear to be a good candidate for termination under delegated authority at this time.

IV. PROCEDURAL MATTERS

10. Upon publication of this Order in the Federal Register, the proceedings listed in the Attachment hereto will be terminated in the Electronic Comment Filing System (ECFS). The record in the terminated proceedings will remain part of the Commission's official records, and the various pleadings, orders, and other documents in these proceedings will continue to be accessible to the public, post-termination. Furthermore, should no petitions for reconsideration, applications for review, or petitions for judicial review of this Order be timely filed, the above-captioned proceeding shall be terminated, and the docket will be closed.

11. For additional information concerning this Order, please contact Zac Champ at (202) 418-1495, or via e-mail at Zac.Champ@fcc.gov.

V. ORDERING CLAUSES

12. Accordingly, **IT IS ORDERED**, pursuant to the authority contained in Sections 4(i) and 4(j) of the Communications Act, 47 U.S.C. Sections 154(i) and (j), and Section 0.141 of the Commission's rules, 47 CFR Section 0.141, that the proceedings set forth in the Attachment hereto are TERMINATED.

¹⁵ Reply Comments of NAB.

¹⁶ Reply Comments of ABC Television Affiliates Association, CBS Television Network Affiliates Association, FBC Television Affiliates Association, and NBC Television Affiliates.

¹⁷ Comments of Aerospace and Flight Test Radio Coord. Council, Inc. at 2.

13. **IT IS FURTHER ORDERED** that should no petitions for reconsideration, applications for review, or petitions for judicial review of this Order be timely filed, the above-captioned proceeding shall be TERMINATED, and the docket will be closed.

FEDERAL COMMUNICATIONS COMMISSION

G. Patrick Webre, Chief
Consumer & Governmental Affairs Bureau

ATTACHMENT